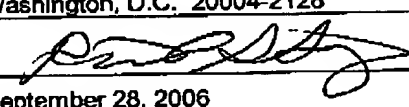
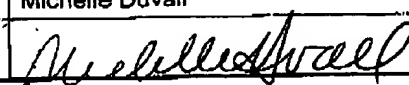


SEP 28 2006

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/625,913
		Filing Date	July 26, 2000
		First Named Inventor	Albert H. F. DE HEER
		Group Art Unit	2164
		Examiner Name	Sana A. Al-Hashemi
Total Number of Pages in This Submission		Attorney Docket Number	002566-016100

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Brief (Amended) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		<input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Daniel S. Song, Reg. No. 43,143 Nixon Peabody LLP 401 9th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	September 28, 2006

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Name (Print/Type)	Michelle Duvall		
Signature		Date	September 28, 2006

SEP 28 2006

Attorney Docket No. 002566-016100

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re PATENT application of)
Albert H. F. De Heer et al.) Confirmation No. 8216
Serial No. 09/625,913) Group Art Unit: 2164
Filed: July 26, 2000) Examiner: Sana A. Al-Hashemi
For: Methods of Catalog Data Maintenance,)
Storage, and Distribution)

APPEAL BRIEF (AMENDED)

Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being
facsimile transmitted to the USPTO at 571-273-8300
on 9-28-2006

Michelle Duvall
Michelle Duvall

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed April 24, 2006, and in further response to Notification of Non-Compliant Appeal Brief mailed August 28, 2006 by the Examiner of Record.

I. REAL PARTY IN INTEREST

CNET Networks, Inc. is the real party in interest.

II. RELATED APPEALS AND INTERFERENCES

There are presently no appeals or interferences known to the Appellants, the Appellants' representative, or the assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF THE CLAIMS

Claims 1-39 are pending in the present application, as submitted in an amendment filed on November 18, 2005 in response to the Office Action mailed July 20, 2005. These claims were rejected in the Final Office Action mailed January 24, 2006. Thus, the present case has been more than twice rejected. This

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Appeal is taken from the rejection of claims 1-39, the claims being submitted in the CLAIMS APPENDIX submitted herewith.

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the Final Office Action mailed January 24, 2006.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates to method and system for maintaining and distributing product data to customers such as online merchants of electronic products. Such online merchants do not have the resources to gather, and properly maintain, the voluminous product data that is associated with the high number of electronic products that are available in the marketplace. In particular, although manufacturers of the products have the most detailed information regarding products sold, the information that is ultimately accessible by such online merchants and users of online merchants' catalogs is typically unorganized since different manufacturers utilize different formats to present product information, and/or is inaccurate/out-of-date since products are constantly changed and redesigned. (See Pg. 4, lines 4-15).

Correspondingly, the present invention provides a method and system for maintaining and distributing product data to customers such as online merchants so that current, up-to-date information can be provided for use in an online catalog. In particular, the customers of the product data that is provided in accordance with the present invention can then use the received product data to generate online catalogs for users that purchase desired products from the generated online catalogs of the merchants (customers of the product data). Thus, the present invention allows providing of product data to customers, who in turn, generate online catalogs for users. (See Pg. 13, lines 10-12; Pg. 14, lines 1-24). Embodiments of the present invention are implemented with various features briefly described herein.

Independent claim 1 recites a method for distributing data for use in an electronic catalog including capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more

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categories being defined by an attribute group having one or more product attributes. (See Pg. 6, lines 10-19; Pg. 13, lines 9-17; Pg. 14, lines 1-15; Pg. 28, lines 6-23; 702, 704, 706, 708, 710, 712 of Figs. 5-7). In addition, the captured product data are stored in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products (see Pg. 14, lines 16-17; Pg. 21, line 14; 802, 806 of Figs. 8A-8C; 1016 of Fig. 10B), and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog (see Pg. 37, lines 9-14; 802, 804 of Figs. 8A-8C; 1018 of Fig. 10B). The manufacturer SKU is associated with at least one customer SKU (see Pg. 43, lines 8-12), and the customer SKU is associated with the customer for which the product data is being stored for subsequent distribution to the customer (see Pg. 43, lines 8-12; Pg. 26, lines 21-22; Pg. 30, lines 10-11, Pg. 37, lines 9-14; Pg. 43, lines 8-12). As described, the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products. (See Pg. 6, lines 1-9).

Independent claim 2 recites a method of maintaining catalog data including receiving a customer product portfolio file with a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file. (See Pg. 7, lines 3-5, 20-24; Pg. 36, line 24-Pg. 37, line 7; Pg. 38, line 4-15; 1002 of Figs. 10A). The customer product portfolio file is mapped to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file. (See Pg. 7, lines 5-7; Pg. 42, lines 2-4, Pg. 43, lines 13-20; Pg. 44, lines 4-6; 1004 of Fig. 10A). The product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file is captured (see Pg. 7, lines 7-8; Pg. 42, lines 4-9; 1004 of Fig. 10A), and added to the system product data file (see Pg. 7, lines 8-9; Pg. 42, lines 4-9; 1006 of Fig. 10A).

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Dependent claims 3 to 12 are ultimately dependent upon independent claim. In addition, dependent claim 5 and claim 6 further recite generating enriched product data from the system product data file according to a customer profile, and transmitting the enriched product data. (See Pg. 42, line 14-Pg. 43, line 1; Pg. 50, line 2-11; 1010, 1012 of Fig. 10A). Dependent claim 7 specifically recites that the customer product portfolio file includes a manufacturer SKU, and a customer SKU. (See Pg. 14, lines 16-17; Pg. 21, line 14; 804, 806 of Figs. 8A-8C; 1016, 1018 of Fig. 10B; Pg. 37, lines 9-14). Furthermore, dependent claims 8 and 9 recite a component definition that defines the format of data (see Pg. 47, line 18-Pg. 48, line 14), including a section header, a line header, and a line body definition (see Pg. 48, line 5-Pg. 49, line 2; 1322, 1324, 1326, 1330, 1332, 1334 of Figs. 13C-13E). Moreover, dependent claims 10 to 12 recite extracting information specified by a component definition from the system product data file and the data model (see pg. 32, lines 2-18; 1356 of Fig. 13E), and building a component descriptor from the extracted information and the component definition (see Pg. 48, line 5-Pg. 49, line 2; 1356 of Fig. 13E).

Independent claim 13 recites a method for maintaining catalog data including receiving a customer product portfolio file that identifies products for which product data is requested (see Pg. 7, lines 3-5, 20-24; Pg. 36, line 24-Pg. 37, line 7; Pg. 38, line 4-15; 1002 of Figs. 10A-10B), and electronically mapping the customer product portfolio file to the system product data file so that each product for which product data is in the system product data file is identified (see Pg. 7, lines 5-7; Pg. 42, lines 2-4, Pg. 43, lines 13-20; Pg. 44, lines 4-6; 1004 of Fig. 10A). In addition, the claim further recites generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, and transmitting the enriched product data to the customer. (See Pg. 42, line 14-Pg. 43, line 1; Pg. 50, line 2-11; 1010, 1012 of Fig. 10A).

Dependent claims 14 to 20, and claim 30, are ultimately dependent on independent claim 13. Dependent claims 17 and 18 further recite obtaining attribute values (see Pg. 51, lines 1-6), and claim 18 recites producing a list of related products (see Pg. 51, lines 7-14 and Pg. 53, lines 2-6).

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Independent claim 21 recites a customer product portfolio file with a manufacturer SKU, and a customer SKU. (See Pg. 7, lines 3-5, 20-24; Pg. 21, line 14; Pg. 36, line 24-Pg. 37, line 14; Pg. 38, line 4-15; Pg. 43, line 8-12; 1016, 1018 of Fig. 10B). In addition, claim 21 recites electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is not in the system product data file is identified. (See Pg. 7, lines 5-7; Pg. 42, lines 2-4, Pg. 43, lines 13-20; Pg. 44, lines 4-6; 1004 of Fig. 10A).

Dependent claims 22 to 25, and claim 29, are ultimately dependent on independent claim 21.

Independent claim 26 recites a method of querying a catalog database including accepting a selection of at least one of the set of product attributes corresponding to one of the plurality of product categories (see Pg. 53, line 17-Pg. 54, line 17; 1514, Fig. 15A), accepting a selection of products within the one of the plurality of product categories (see Pg. 54, lines 17-18), obtaining one or more attribute values corresponding to the selected product attributes for each of the selected products from the catalog database (see Pg. 54, lines 18-22), and displaying the obtained attribute values for the selected products (see Pg. 54, lines 18-22; 1510 of Fig. 15A).

Dependent claim 27 is dependent on independent claim 26.

Independent claim 28 recites a method of querying a catalog database including accepting a user query specifying a product and a catalog component to be retrieved for use in an electronic catalog (see Pg. 53, line 17-Pg. 54, line 22), obtaining a catalog component definition associated with the catalog component that defines a format for the catalog component (see Pg. 49, lines 18-20; 1352 of Fig. 13E), extracting information specified by the catalog component definition from the catalog database and the data model (see Pg. 49, lines 20-21; 1354 of Fig. 13E), and building a catalog component descriptor from the extracted information and the catalog component definition (see Pg. 49, lines 21-25; 1356 of Fig. 13E).

Independent claim 31 recites a computer readable medium with computer readable code for implementing the recited method of claim 1. (See Pg. 54, line 23-Pg. 55, line 2).

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Independent claim 32 recites a system for distributing data with limitations corresponding to independent claim 1 in a means plus function format, including a means for capturing product data for one or more products according to a data model (see Pg. 15, lines 2-12; 110, 114 of Fig. 1), and a means for storing the captured product data in a product data file (see Pg. 15, lines 2-12; 108, 112 of Fig. 1).

Independent claim 33 further recites a system including a processor, and a memory, at least one of the processor and the memory being adapted for performing the functions recited in claim 32. (See Pg. 15, lines 3-11; Pg. 53, lines 17-25; 104, 1512 of Figs. 1, 15A).

Independent claim 34 recites a computer readable medium with computer readable instructions for implementing the recited method of claim 2. (See Pg. 54, line 23-Pg. 55, line 2).

Independent claim 35 recites a system for maintaining catalog data stored in a system product data file for executing the described method of claim 2 including a means for receiving a customer product portfolio file (see Pg. 53, lines 17-21; 1504, 1508 of Fig. 15A), a means for electronically mapping the customer product portfolio file to the system product data file (see Pg. 53, lines 21-25; 1004, 1512 of Figs. 10A, 15A), a means for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file (see Pg. 15, lines 7-12; Pg. 42, lines 2-7; 110, 1006, 1512 of Figs. 1, 10A, 15A), and a means for adding the captured product data to the system product data file (see Pg. 15, lines 7-12; Pg. 42, lines 2-7; 112, 1010, 1512 of Figs. 1, 10A, 15A).

Independent claim 36 recites a system including a processor, and a memory, at least one of the processor and the memory being adapted for performing the functions recited in claim 35. (See Pg. 15, lines 3-11; Pg. 53, lines 17-25; 104, 1512 of Figs. 1, 15A).

Independent claim 37 recites a computer readable medium with computer readable instructions for implementing the method recited in claim 13. (See Pg. 54, line 23-Pg. 55, line 2).

Independent claim 38 recites a means for receiving a customer product portfolio file including a plurality of SKUs (see Pg. 53, lines 17-21; 1504, 1508 of

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Fig. 15A), means for mapping of the customer product portfolio file to the system product data file (see Pg. 53, lines 21-25; 1004, 1512 of Figs. 10A, 15A), and means for generating and transmitting enriched product data. (See Pg. 42, line 14-Pg. 43, line 1; Pg. 50, line 2-11; 1010, 1012 of Fig. 10A).

Independent claim 39 recites a system with a processor and memory for performing the recited functions of claim 38. (See Pg. 15, lines 3-11; Pg. 53, lines 17-25; 104, 1512 of Figs. 1, 15A).

Thus, the above described invention and features thereof, provides a new method and system for maintaining and distributing product data to customers such as online merchants of electronic products, so that such customers receive accurate and up-to-date product data that can be readily used in an electronic catalog.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

In the Office Action mailed January 24, 2006, the Examiner has maintained her sole ground for rejection of claims 1-39 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,740,425 to Povilus in view of U.S. Patent No. 6,249,772 to Walker et al. Thus, the issue on appeal is whether claims 1-39 are unpatentable under 35 U.S.C. 103(a).

VII. ARGUMENT

The Appellants respectfully contend that the Examiner has failed to establish a *prima facie* case of obviousness, and the rejection set forth in the Office Action mailed January 24, 2006 should be reversed.

Claims 1, 31, 32, and 33

It is initially noted that the cited Povilus reference discloses a relevant data structure and method for creating, maintaining, and publishing multiple renditions of both electronic and printed, single and multi-manufacturer catalogs using a single product database. (See Povilus, Abstract). The disclosed data structure of Povilus includes means for creating a product database that has a listing of SKUs, each SKU corresponding to a product or a component of a product. *Id.* The product database is further described as including product information for each associated SKU, and an

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identification of each concept node or class of products in which each SKU can be located. *Id.* Thus, Povilus discloses a method in which a data structure is used to create a product database based on the class/group of products that includes SKUs of products.

In contrast, the cited Walker reference is directed to a completely different field of art that allows a buyer to purchase a product from a merchant at a reduced price that is different than the price that the merchant normally sells the product. (See Walker, Abstract). In this regard, the Walker et al. reference discloses a system and method in which a price is pre-negotiated through a contract between the manufacturer of the product and the merchant for allowing the buyer to buy the product at the reduced price from the merchant. (See Walker, Col. 5, lines 3-12). The reference further discloses that the manufacturer provides additional compensation to the merchant to offset the discount provided to the buyer. *Id.*

Thus, the invention disclosed in Walker et al. is directed to pricing of products in commerce, and does not relate at all to the distribution of data, or maintaining catalog data, which is the subject of the present invention and the cited Povilus reference. Correspondingly, the Walker et al. reference is not a relevant reference since it is not in the same field of endeavor, and is not reasonably pertinent to the problems addressed by the present invention. In order to properly rely on a reference as a basis for rejection of an applicant's invention, "the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." MPEP 2141.01(a) citing *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). In addition, a reference is "reasonably pertinent if . . . it is one which . . . logically would have commended itself to an inventor's attention in considering his problem." *In re Clay*, 966 F.2d 656, 659, 23 USPQ2d 1058, 1060-61 (Fed. Cir. 1992). The cited Walker reference is not in the field of applicant's endeavor or to the primary Povilus reference, and is also not reasonably pertinent to the problem being addressed by the present invention or by Povilus. As expected, due to the unrelated nature of the cited Povilus and Walker references, these references fail to teach combining the references in the manner suggested by the Examiner.

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The Examiner, in her Office Action, asserts that there is motivation to combine these references "to control the flow of products to different retailer by one identification number even if the retailers use different method of identifying the same product based on the way they sort their products . . . since both references deal with products and products ID where the product is associating id to a product in an electronic catalog and they both are in the same endeavor." However, the Examiner appears to be engaging in impermissible "hindsight reconstruction" to use the teachings of the present application to derive the present invention in that Walker does not relate to the technological field or solve the problem that is addressed by the Povilus reference and the present invention, and one of ordinary skill in the art would not be motivated to refer to the cited Walker reference. Thus, the Appellants contend that the Examiner is engaging in improper "hindsight reconstruction" to extrapolate a motivation from the prior art references that clearly does not exist in the text of these references. (See *In re Dow Chemical Co.*, 5 USPQ2d 1529, 1532 (Fed. Cir. 1988)). Thus, the Examiner's rejection is improper and should be reversed.

Secondly, even if these references were properly combinable, they still fail to result in the present invention as claimed as discussed in detail herein below. In particular, the Examiner's rejection of claims 1, 31, 32 and 33, is improper in that these claims recite that product data includes both a manufacturer SKU that identifies each of the products, and customer SKU that identifies each of the products. These claims also recite that the manufacturer SKU is associated with the customer SKU, and each customer SKU is also associated with a customer.

In this regard, claim 1 recites:

1. A method of distributing data for use in an electronic catalog, comprising:
capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and
storing the captured product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products, and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for

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subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

Claim 31 recites:

31. A computer-readable medium storing thereon computer-readable instructions for distributing product data for use in an electronic catalog, comprising:

instructions for capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

instructions for storing the product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

Claim 32 recites:

32. A system for distributing data for use in an electronic catalog, comprising:

means for capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

means for storing the captured product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU identifying each of the products for a customer requesting distribution of specified product data for use in an electronic catalog the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

Claim 33 recites:

33. A system for distributing data for use in an electronic catalog, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

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capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

storing the product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

Thus, the present invention as recited in these claims include capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes. (See Pg. 6, lines 10-19; Pg. 13, lines 9-17; Pg. 14, lines 1-15; Pg. 28, lines 6-23; Figs. 5-7). In addition, the captured product data are stored in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products (see Pg. 14, lines 16-17; Pg. 21, line 14; Figs. 8A-8C; Fig. 10B), and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog (see Pg. 37, lines 9-14; Fig. 10B). The manufacturer SKU is associated with at least one customer SKU (see Pg. 43, lines 8-12), and the customer SKU is associated with the customer for which the product data is being stored for subsequent distribution to the customer (see Pg. 43, lines 8-12; Pg. 26, lines 21-22; Pg. 30, lines 10-11, Pg. 37, lines 9-14; Pg. 43, lines 8-12). As described, the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products. (See Pg. 6, lines 1-9). Claim 31 recites a computer readable medium with computer readable code for implementing the above described method. (See Pg. 54, line 23-Pg. 55, line 2). Claim 32 recites a system for distributing data with corresponding limitations in a means plus function format, including a

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means for capturing product data for one or more products according to a data model (110, 114; see Pg. 15, lines 2-12; Fig. 1), and a means for storing the captured product data in a product data file (108, 112; see Pg. 15, lines 2-12; Fig. 1). Claim 33 further recites a system including a processor, and a memory, at least one of the processor and the memory being adapted for performing the method of the present invention described. (See Pg. 15, lines 3-11; Pg. 53, lines 17-25; Figs. 1, 15A).

Providing of both manufacturer SKU and customer SKU is an important feature in that it allows the customer of the product data, such as an online merchant, to receive product data that is already cross-referenced to SKUs being used by the electronic catalog of the customer, so that the received product data can be readily used in the customer's electronic catalog. In addition, providing of manufacturer SKU and customer SKU increases accuracy in the identification of the product and the associated product data. In particular, SKU numbers are often reused so that two different products may have the same SKU numbers. By providing both manufacturer SKUs and customer SKU numbers, likelihood of proper identification of the products is substantially increased.

A patent may not be obtained if the subject matter sought to be patented would be obvious to a person having ordinary skill in the art to which the subject matter pertains. 35 U.S.C. §103. A determination of obviousness is a legal conclusion based on underlying findings of fact. *Velander v. Garner*, 348 F.3d 1359, 1363 (Fed. Cir. 2003). The Supreme Court in *Graham v. John Deere*, 383 U.S. 1 at 18, 148 USPQ 459 at 167 (1996), set forth the basic test for patentability under 35 U.S.C. §103:

Under §103, the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background, the obviousness or non-obviousness of the subject matter is determined. Such secondary considerations as commercial success, long felt but unresolved need, failure of others, etc., might be utilized to give light to the circumstances surrounding the origin of the subject matter to be patented.

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Moreover, in *In re Ehrreich* and *Avery*, 200 USPQ 504, 509-510 (CCPA 1979), the Court of Customs and Patent Appeals further clarified the basic test set forth in *Graham v. John Deere*:

We must not here consider a reference in a vacuum, but against the background of the other references of record which may disprove theories and speculations in the reference or reveal previously undiscovered or unappreciated problems. The question in a §103 case is what the references would collectively suggest to one of ordinary skill in the art. *In re Simon*, 461 F.2d 1387, 174 USPQ 114 (CCPA 1972). It is only by proceeding in this manner that we may fairly determine the scope and content of the prior art according to the mandate of *Graham v. John Deere*, 383 US 1, 17, 148 USPQ 459, 467 (1966)(Emphasis in original.)

Thus, "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination," *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Where the prior art provides "only general guidance and is not specific as to the particular form of the invention or how to achieve it, [such a suggestion] may make an approach 'obvious to try,' but it does not make the invention obvious." *Ex parte Obukowicz*, 27 USPQ2d, 1063, 1065 (U.S. Patent and Trademark Office Board of Appeals and Interferences, 1992) and *In re O'Farrell*, 7 USPQ2d 1673, 1681 (Fed. Cir. 1988).

In addition, three criteria must be met to establish a *prima facie* case of obviousness. M.P.E.P. §2143. First, there must be some teaching, suggestion or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Second, there must be a reasonable expectation of success. *In re Rhinehart*, 531 F.2d 1048, 189 USPQ 143 (CCPA 1976). Last, the prior art must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

As conceded by the Examiner in the Office Action mailed January 24, 2006, Povilus is silent with respect to storing product data including both a manufacturer SKU and a customer SKU, associating these SKUs, and associating the customer SKU with a customer. To cure this defect, the Examiner cites Figure 6A, Col. 8, lines

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10-17 of Walker to assert that the "STORE ID NUMBER" disclosed in Walker corresponds to the "customer SKU" recited in these claims. This is improper. The STORE ID NUMBER disclosed in Walker is a number that merely identifies a particular store so that available inventory at the store can be indicated. (See Walker, Col. 15, lines 32-39). In other words, the disclosed STORE ID NUMBER is associated with the particular store that sells the product, and does not identify, or function to identify, a particular product that is being sold.

Thus, the cited Walker reference fails to cure the deficiencies of the Povilus reference, even if Walker was considered to be a relevant prior art reference. Correspondingly, even if these references are combined in the manner suggested by the Examiner, such a combination still fails to disclose, teach, or otherwise render obvious, the present invention as claimed.

Correspondingly, the Examiners rejection of independent claims 1, 31, 32, and 33, as well as the various dependent claims ultimately dependent on one of these claims should be reversed, since the Examiner has failed to establish all three basic criteria required for properly establishing a *prima facie* case of obviousness.

Claims 2, 34, 35, and 36

Referring again to the Office Action, independent claims 2, 34, 35 and 36 were also rejected as obvious in view of Povilus and Walker. However, the Appellants contend that this rejection is improper in that Povilus and Walker cannot be properly combined as explained above. In addition, even if these references are combined in the manner suggested by the Examiner, the combination still fail to render the invention unpatentable. In particular, these claims specifically recite receiving a customer product portfolio file, and electronically mapping this file to the system product data file to identify products for which product data is not stored in the system product data file. Such missing product data is then captured and stored in the system product data file as recited in these claims.

In particular, independent claim 2 recites:

2. A method of maintaining catalog data stored in a system product data file, comprising:

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receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file;

capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

adding the captured product data to the system product data file.

Claim 34 recites:

34. A computer-readable medium storing thereon computer-readable instructions for maintaining catalog data stored in a system product data file, comprising:

instructions for receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

instructions for electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which product data is requested by the customer has been previously obtained and stored in the system product data file;

instructions for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

instructions for adding the captured product data to the system product data file.

Claim 35 recites:

35. A system for maintaining catalog data stored in a system product data file, comprising:

means for receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which data is requested by the customer in the customer product portfolio file;

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means for electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file;

means for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

means for adding the captured product data to the system product data file.

Claim 36 recites:

36. A system for maintaining catalog data stored in a system product data file, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which product data is requested by the customer has been previously obtained and stored in the system product data file;

capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

adding the captured product data to the system product data file.

Thus, claim 2 recites receiving a customer product portfolio file with a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file. (See Pg. 7, lines 3-5, 20-24; Pg. 36, line 24-Pg. 37, line 7; Pg. 38, line 4-15; Figs. 10A-10B). The customer product portfolio file is mapped to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each

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of the products for which data is requested by the customer has been previously obtained and stored in the system product data file. (See Pg. 7, lines 5-7; Pg. 42, lines 2-4, Pg. 43, lines 13-20; Pg. 44, lines 4-6; Figs. 10A-11). The product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file is captured (see Pg. 7, lines 7-8; Pg. 42, lines 4-9; Fig. 10A), and added to the system product data file (see Pg. 7, lines 8-9; Pg. 42, lines 4-9; Fig. 10A) so that it can be transmitted to the customer. Claim 34 recites a computer readable medium with computer readable instructions for implementing the above described method. (See Pg. 54, line 23-Pg. 55, line 2).

Claim 35 recites a system for maintaining catalog data stored in a system product data file for executing the described method including a means for receiving a customer product portfolio file (1504, 1508; see Pg. 53, lines 17-21; Fig. 15A), a means for electronically mapping the customer product portfolio file to the system product data file (1004, 1512; see Pg. 53, lines 21-25; Figs. 10A, 15A), a means for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file (110, 1006, 1512; see Pg. 15, lines 7-12; Pg. 42, lines 2-7; Figs. 1, 10A, 15A), and a means for adding the captured product data to the system product data file (112, 1010, 1512; see Pg. 15, lines 7-12; Pg. 42, lines 2-7; Figs. 1, 10A, 15A). Claim 36 recites a system for maintaining catalog data with limitations corresponding to those of claim 35.

The provision of a customer product portfolio file is an important feature of the present invention in that it allows the customer to receive selected product data, for instance, product data that is missing from the customer product portfolio file, or product data that has been specifically selected by the customer. Thus, only the desired product data is sent, allowing the customer to easily utilize the received product data in the customer's electronic catalog.

Povilus appears to disclose creating and naming a new product for storage in a database by allowing manual selection of the desired type of change, creating a new record, and naming the new product in the manner shown in Figure 31B of this reference. However, the Povilus reference does not disclose, teach or otherwise suggest, a customer product portfolio file that is distinct from the system product data

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file. In addition, the Povilus reference also does not disclose, teach, or suggest electronically mapping the customer product portfolio file to the system product data file so as to identify data that is not in the system product data file. Correspondingly, Povilus further does not teach indicating whether product data has been obtained and stored in the system product data file, and/or capturing the product data to be incorporated into the system product data file, as recited in these claims.

In the Office Action, the Examiner cites various portions of the Povilus reference as disclosing the various recited elements of the claims. However, the relevance of the various cited portions are entirely unclear. For example, in asserting that the Povilus reference discloses a customer product portfolio file with a plurality of SKUs, the Examiner cites Col. 7, lines 13-19 of Povilus and notes that the disclosed "Definer" corresponds to the customer SKU. The relevance of this is entirely unclear since, as pointed out in the prior responses, Povilus explains that a Definer is a phrase having a definition and exists to give meaning to nodes in a concept structure so as to facilitate understanding between the provider of the products, and the seeker of the categorized products. (See Col. 7, lines 13-26). In other words, a "Definer" is a word or phrase for a node or category likely to convey the identity of the product, and neither refers to a SKU, nor perform a function similar to a SKU.

The Examiner further cites Col. 7, lines 19-28 of Povilus as disclosing the recited mapping of these claims. However, this section of Povilus merely discloses that the relationship between the noted Definers and their synonyms are stored in a Object Oriented Database. The relevancy of this cited portion of the Povilus as it relates to the claim limitation is entirely unclear. Of course, these noted deficiencies are not addressed by the Walker reference, as evidenced by the Examiner's failure to identify one teaching in Walker in support of her position.

Such seemingly random citation to various portions of the Povilus reference is prevalent in the rejection of these claims and throughout the rejections of other claims in the Office Action. The Appellants cannot respond with substantive arguments to such unclear and incomplete rejections except to state that the Examiner has failed to

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meet her burden of establishing a *prima facie* case of obviousness. Therefore, the Appellants respectfully contend that the rejection is improper, and should be reversed.

Claims 3 and 4

Dependent claims 3 and 4 were rejected in the Office Action as being rendered obvious by Povilus in view of Walker. However, these claims are ultimately dependent upon independent claim 2, and thus, Examiner's rejections are also improper at least by the reason of their dependency.

Claims 5 and 6

Dependent claims 5 and 6 were rejected in the Office Action as being rendered obvious by Povilus in view of Walker. However, these claims are ultimately dependent upon independent claim 2, and thus, Examiner's rejections are also improper at least by the reason of their dependency. In addition, the cited references do not render obvious, the features recited in these claims, even if these references are combined.

Dependent claim 5 and claim 6 further recite generating enriched product data from the system product data file according to a customer profile, and transmitting the enriched product data. (See Pg. 42, line 14-Pg. 43, line 1; Pg. 50, line 2-11; Figs. 10A, 14A-14B). As previously noted, transmission of such enriched product data allows the customer to receive selected product data that is missing from the customer product portfolio file, or is specifically desired.

The Specification of the present application describes the possible features and advantages in generating enriched product data from the system product data file according to a customer profile. (See Pg. 36, line 24-Pg. 37, line 21). As discussed above, such customer profile sets forth information regarding the customer and the customer's preferences with respect to receiving product data. This allows customization of what product data is provided to which customer, so that the customers do not receive all of the product data, but instead, only receive data that has been indicated as being desired.

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The Examiner cited Col. 8, lines 34-39 and 52-58 of Povilus as disclosing the limitations of claim 5, and further explains in Footnote 2 that the Examiner interprets "the further details disclosed by Povilus corresponds to enriched claimed." Such a vague rejection cannot be understood by the Applicants and numerous requests for clarification to the Examiner have gone unanswered. The cited portion of Povilus is directed to the Definer which, as noted previously, is a phrase for a node or category likely to convey the identity of the product. This has nothing to do with enriching the product data with additional information, or to a customer profile as recited in claims 5 and 6. Clearly, the Examiner has failed to properly establish a *prima facie* case of obviousness, and this rejection should be reversed.

Claim 7

Dependent claim 7 also rejected in the Office Action as being rendered obvious by Povilus in view of Walker. However, this claim is dependent upon independent claim 2, and thus, Examiner's rejections are also improper at least by the reason of its dependency. In addition, claim 7 specifically recites that the customer product portfolio file includes a manufacturer SKU, a customer SKU, a manufacturer identifier and product description. As discussed *supra* relative to independent claim 1, the cited references do not disclose or render obvious both, a manufacturer SKU and a customer SKU. Thus, the Examiner's rejection should be reversed.

Claims 8 and 9

Dependent claims 8 and 9 were rejected in the Office Action as being rendered obvious by Povilus in view of Walker. However, these claims are ultimately dependent upon independent claim 2, and thus, Examiner's rejections are also improper at least by the reason of their dependency. In addition, the cited references do not render obvious, the features recited in these claims, even if these references are combined.

In addition, rejected dependent claims 8 and 9 recite a component definition with a section header, line header and line body, that are associated with the component data for implementing the present invention. A component refers to data

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category or attribute that may be used in the generated catalog, while the recited component definition defines the format of such data. (See Pg. 47, line 18-Pg. 48, line 14; Fig. 13B). Thus, these claims recite retrieval of a component definition associated with the component data, the component definition having a section header, a line header, and a line body definition. (See Pg. 48, line 5-Pg. 49, line 2; Figs. 13C-13E). The contents of the line body may be obtained from the system product data file and from literals provided in the line body definition. (See Pg. 49, lines 13-16; Fig. 13E).

These limitations are not taught or rendered obvious by the cited references. Whereas various portions of Povilus are cited by the Examiner, these cited portions merely relate to columns for SKU tables and data entered in such tables. The cited portions do not appear to relate to definitions that define the format of such data. Thus, the Examiner's rejection of these dependent claims are also improper since the Examiner has again, failed to established a *prima facie* case of obviousness. Correspondingly, the reversal of this rejection is requested.

Claims 10 to 12

Dependent claims 10 to 12 were rejected in the Office Action as being rendered obvious by Povilus in view of Walker. However, these claims are ultimately dependent upon independent claim 2, and thus, Examiner's rejections are also improper at least by the reason of their dependency. In addition, the cited references do not render obvious, the features recited in these claims, even if these references are combined.

Rejected dependent claims 10 to 12 recite building a component descriptor from the extracted information and the component definition. In particular, these claims recite extracting information specified by a component definition from the system product data file and the data model (see pg. 32, lines 2-18; Figs. 13A-13E), and building a component descriptor from the extracted information and the component definition (see Pg. 48, line 5-Pg. 49, line 2; Figs. 13C-13E). In addition, dependent claim 11 specifically recites providing the component descriptor in response to a catalog query (see Pg. 49, line 24-Pg. 50, line 2). Moreover, dependent

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claim 12 further recites storing the component descriptor in a file (see Pg. 49, lines 24-25).

Again, these limitations are not taught or rendered obvious by the cited references. Whereas various portions of Povilus are cited by the Examiner, these cited portions relate extraction and to entry of data into SKU tables. Thus, the Examiner's rejection of these dependent claims are also believed to improper and the reversal of this rejection is requested.

Claims 13 and 37

Independent claims 13 and 37 were rejected as being rendered obvious by Povilus in view of Walker. Again, this rejection is improper in that these references are not properly combinable.

In addition, claim 13 recites:

13. A method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with the products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

transmitting the enriched product data with the added product data to the customer, wherein the enriched product data is suitable for use by the customer in an electronic catalog.

Claim 37 recites:

37. A computer-readable medium storing thereon computer-readable instructions for maintaining catalog data stored in a system product data file, comprising:

instructions for receiving a customer product portfolio file that identifies products for which data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

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instructions for electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

instructions for generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products for which values are to be transmitted to the customer; and

instructions for transmitting the enriched product data with the added product data to the customer.

Thus, these claims recite receiving a customer product portfolio file that identifies products for which product data is requested (see Pg. 7, lines 3-5, 20-24; Pg. 36, line 24-Pg. 37, line 7; Pg. 38, line 4-15; Figs. 10A-10), and electronically mapping the customer product portfolio file to the system product data file so that each product for which product data is in the system product data file is identified (see Pg. 7, lines 5-7; Pg. 42, lines 2-4, Pg. 43, lines 13-20; Pg. 44, lines 4-6; Figs. 10A-11). In addition, these claims further recite generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, and transmitting the enriched product data to the customer. (See Pg. 42, line 14-Pg. 43, line 1; Pg. 50, line 2-11; Figs. 10A, 14A-14B). Claim 37 recites a computer readable medium with computer readable instructions for implementing the above described method. (See Pg. 54, line 23-Pg. 55, line 2). These features are clearly not taught or rendered obvious by the combination of Povilus or Walker references.

In rejecting these claims, the Examiner cited Col. 10, lines 27-60 of Povilus. However, the cited portion of Povilus merely discloses activities of a lead engineer in listing and viewing, the available products in an already existing database of products, and does not relate to the recited limitations of these claims. Thus, this rejection by the Examiner should be reversed.

Claims 14 to 20

Dependent claims 14 to 20 were also rejected based on the combination of Povilus in view of Walker. However, these claims are believed to be allowable at least for the reason of their dependence upon independent claim 13 discussed *supra*.

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In addition, it is noted that dependent claims 17 and 18 further recite obtaining attribute values (see Pg. 51, lines 1-6), and claim 18 recites producing a list of related products (see Pg. 51, lines 7-14 and Pg. 53, lines 2-6). Both of these features are not taught or rendered obvious by the cited references. In the Office Action, the portions of Povilus cited by the Examiner in support of her rejection appear irrelevant and do not relate to the limitations recited in the claims. Therefore, the reversal of this rejection is also requested by the Appellants.

Claims 21, 29, and 30

Independent claim 21 as well as dependent claim 29 that is dependent thereon, and claim 30 dependent on claim 13, were also rejected based on Povilus in view of Walker. In addition to the noted impropriety of combining these references as discussed *supra*, claim 21 recites a customer product portfolio file including a manufacturer SKU, and a customer SKU, and further recites electronic mapping of the customer product portfolio file with the system product data file.

In particular, independent claim 21 recites:

21. A method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file that identifies products for which product data is requested by one or more customers, the product data being suitable for use in an electronic catalog, the customer product portfolio file including a manufacturer SKU associated with each of the products for which product data is requested for use in an electronic catalog, a customer SKU associated with each of the products that corresponds to one of the customers, and a manufacturer identifier identifying a manufacturer of each of the products for which product data is requested, each of the customers being a manufacturer, retailer, or distributor products for which product data is requested by the customer in the customer product portfolio file; and

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is not in the system product data file is identified, thereby identifying products for which product data is requested but has not been previously obtained and stored in the system product data file.

As discussed *supra*, the combination of the cited references still fail to render claims 21 and 29 unpatentable in that they fail to teach receiving a customer product portfolio file with a manufacturer SKU, and a customer SKU. (See Pg. 7, lines 3-5,

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20-24; Pg. 21, line 14; Pg. 36, line 24-Pg. 37, line 14; Pg. 38, line 4-15; Pg. 43, line 8-12; Figs. 10A-10B). In addition, the combination of the cited references fail to teach the mapping recited in these claims. (See Pg. 7, lines 5-7; Pg. 42, lines 2-4, Pg. 43, lines 13-20; Pg. 44, lines 4-6; Figs. 10A-11).

Moreover, the rejections set forth in the Office Action are deficient in that the various cited portions of the prior art cited by the Examiner relate to actions of an engineer, and do not teach or suggest the features alleged by the Examiner. Thus, the cited portions do not appear to be relevant to the recited limitations of these claims at all, and the reversal of rejection is also requested.

Dependent claim 29 is believed to be patentable at least for the reason of its dependency on independent claim 21. In addition, dependent claim 30 which recites mapping the customer product portfolio file to the system product data file is believed to be patentable at least for the reason of its dependency on independent claim 13 which is believed to be allowable, and for the recited electronic mapping. In this regard, it is also noted that the cited portions of Povilus are not relevant to the recited limitations of these claims. Thus, the reversal of rejection is also requested.

Claims 22 to 25

Dependent claims 22 to 25 were also rejected based on the combination of Povilus in view of Walker. However, these claims are believed to be allowable at least for the reason of their dependence upon independent claim 21 discussed *supra*.

Claims 26

Independent claim 26 was also rejected as being unpatentable in view of Povilus and Walker. This rejection is believed to be improper in that the combination of these references is improper as previously discussed.

In addition, independent claim 26 recites:

26. A method of querying a catalog database, the catalog database including product data for one or more products, each of the products being classified in at least one of a plurality of product categories, the product data for each product including a set of product attributes corresponding to the product category within which the product is classified, each of the product attributes having at least one attribute value, the method comprising:

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accepting a selection of at least one of the set of product attributes corresponding to one of the plurality of product categories;
accepting a selection of products within the one of the plurality of product categories;
obtaining one or more attribute values corresponding to the selected product attributes for each of the selected products from the catalog database; and
displaying the obtained attribute values for the selected products.

Thus, claim 26 specifically recites accepting a selection of at least one of the set of product attributes corresponding to one of the plurality of product categories (see Pg. 53, line 17-Pg. 54, line 17; Fig. 15A), accepting a selection of products within the one of the plurality of product categories (see Pg. 54, lines 17-18), obtaining one or more attribute values corresponding to the selected product attributes for each of the selected products from the catalog database (see Pg. 54, lines 18-22), and displaying the obtained attribute values for the selected products (see Pg. 54, lines 18-22; Fig. 15A).

Povilus and/or Walker do not disclose or otherwise render obvious, these limitations recited in claim 26. Whereas Povilus discloses searching and retrieval of product information from a database, and thus, accepting a selection of a product in a category, the cited references do not specifically disclose acceptance of a set of product attribute corresponding to one of the plurality of product categories, and obtaining one or more attribute values corresponding to the selected product attributes for each of the selected products. As a result, the cited prior art references do not allow searching for products based upon attributes of the products, for example, speed of a processor, a size of memory, etc. in the example category of computers. Therefore, the Examiner has again failed to properly establish *prima facie* case of obviousness, and thus, the reversal of this rejection is requested.

Claim 27

Dependent claim 27 was rejected based on the combination of Povilus in view of Walker. However, claim 27 is believed to be allowable at least for the reason of its dependence upon independent claim 26 discussed *supra*, and the reversal of the Examiner's rejection is requested.

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Claim 28

Independent claim 28 was also rejected based on Povilus in view of Walker. In addition to the noted impropriety of combining these references, independent claim 28 recites a method of querying a catalog database including features that are not suggested in the cited references. In particular, claim 28 recites:

28. A method of querying a catalog database including product data for one or more products classified according to a data model, the method comprising:

accepting a user query specifying a product and a catalog component to be retrieved for use in an electronic catalog, the catalog component including at least one of a product description, technical specifications, a marketing description, an image, and a URL associated with the product;

obtaining a catalog component definition associated with the catalog component, the catalog component definition defining a format for the catalog component;

extracting information specified by the catalog component definition from the catalog database and the data model; and

building a catalog component descriptor from the extracted information and the catalog component definition.

Thus, claim 28 recites accepting a user query specifying a product and a catalog component to be retrieved for use in an electronic catalog (see Pg. 53, line 17- Pg. 54, line 22), obtaining a catalog component definition associated with the catalog component that defines a format for the catalog component (see Pg. 49, lines 18-20; Fig. 13E), extracting information specified by the catalog component definition from the catalog database and the data model (see Pg. 49, lines 20-21; Fig. 13E), and building a catalog component descriptor from the extracted information and the catalog component definition (see Pg. 49, lines 21-25).

As previously explained, this means that the customer can customize the type of information regarding a product which is to be retrieved and transmitted to the customer in response to the query. Correspondingly, the customer is not provided with all the information associated with the product, but only the type of information desired by the customer. Thus, the customer can submit a query that specifies one or more of the catalog components that is to be provided as a result of the query, such as the product description, technical specifications, a marketing description, an image, and/or a URL. In this regard, the claim further recites obtaining of a catalog

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component definition that is associated with the catalog component, and also defines a format for the catalog component.

This is in contrast to the Povilus reference that discloses the ability of a user to obtain information regarding only a portion of the manufacturer's total offering of products (i.e. all information regarding some of the products, not some information regarding some of the products). The cited Walker reference does not cure these noted deficiencies of Povilus. Thus, the Examiner's rejection is believed to be improper and reversal thereof is requested.

Claims 38 and 39

The Examiner further rejected independent claims 38 and 39 as being rendered obvious by Povilus in view of Walker. However, the Examiner's Office Action fails to provide any discussion of the basis or rationale for this rejection. Thus, the Applicants cannot respond at all to the Examiner's rejection, except to note that this rejection is clearly improper.

In particular, claim 38 recites:

38. A system for maintaining catalog data stored in a system product data file, comprising:

means for receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with products for which data is requested by a customer for use in a catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

means for mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

means for generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

means for transmitting the enriched product data with the added product data to the customer.

Claim 39 recites:

39. A system for maintaining catalog data stored in a system product data file, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

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receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

generating enriched product data with added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

transmitting the enriched product data with the added product data to the customer.

Initially, as discussed *supra*, Povilus and Walker cannot be properly combined and relied upon. In addition, claim 38 recites a means for receiving a customer product portfolio file including a plurality of SKUs (1504, 1508; see Pg. 53, lines 17-21; Fig. 15A), means for mapping of the customer product portfolio file to the system product data file (1004, 1512; see Pg. 53, lines 21-25; Figs. 10A, 15A), and means for generating and transmitting enriched product data. (See Pg. 42, line 14-Pg. 43, line 1; Pg. 50, line 2-11; Figs. 10A, 14A-14B). Claim 39 recites a system with a processor and memory for performing similar functions. (See Pg. 15, lines 3-11; Pg. 53, lines 17-25; Figs. 1-15A). These features are not taught, or otherwise rendered obvious, by the combination of Povilus and Walker as discussed *supra*. Correspondingly, the reversal of this rejection is also requested.

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VIII. CLAIMS APPENDIX

Appealed claims are appended hereto in the attached **CLAIMS APPENDIX**.

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

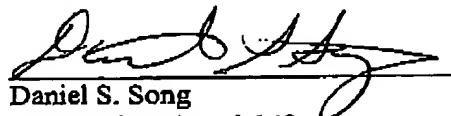
None.

XI. CONCLUSION

Thus, at least for the foregoing reasons, the Appellants contend that the Examiner's rejection of the presently pending claims is improper in that the cited Povilus and Walker references does not render the claimed invention obvious or unpatentable. Therefore, the reversal of the Examiner's rejection under 35 U.S.C. §103(a) with respect to all of the pending claims 1-39 are respectfully requested.

Respectfully submitted,

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CLAIMS APPENDIX

1. A method of distributing data for use in an electronic catalog, comprising:

capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

storing the captured product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products, and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

2. A method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file;

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capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and
adding the captured product data to the system product data file.

3. The method as recited in claim 2, further including:

generating component data for the product from the system product data file, wherein the component data includes at least one of a product description, technical specifications, a marketing description, an image, and a URL associated with the product.

4. The method as recited in claim 3, wherein technical specifications comprises at least one of main technical specifications and extended technical specifications.

5. The method as recited in claim 3, further including:

generating enriched product data from the system product data file according to a customer profile; and
transmitting the enriched product data.

6. The method as recited in claim 5, wherein the steps of generating enriched product data and transmitting the enriched product data are performed simultaneously with the steps of capturing product data, adding the captured product data, and generating component data.

7. The method as recited in claim 2, wherein the customer product portfolio file includes:

a manufacturer SKU associated with a product;
a customer SKU assigned by a customer to the product;
a manufacturer identifier for the product that identifies a manufacturer of the product; and
a product description describing the product.

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8. The method as recited in claim 3, further including:

retrieving a component definition associated with the component data, the component definition having a section header, a line header, and a line body definition that defines contents and format for a line body which describes the line header;

obtaining the contents of the line body from the system product data file and from literals provided in the line body definition; and

providing the section header, the line header, and the line body.

9. The method as recited in claim 8, further including:

classifying the product in one of a plurality of categories, each of the categories having at least one attribute group that identifies one or more product attributes, each of the product attributes being associated with one or more values;

wherein the line header identifies an attribute group associated with the product.

10. The method as recited in claim 3, further including:

classifying the product according to a data model;

extracting information specified by a component definition from the system product data file and the data model; and

building a component descriptor from the extracted information and the component definition.

11. The method as recited in claim 10, further including:

providing the component descriptor in response to a catalog query.

12. The method as recited in claim 10, further including:

storing the component descriptor in a file.

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13. A method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with the products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

transmitting the enriched product data with the added product data to the customer, wherein the enriched product data is suitable for use by the customer in an electronic catalog.

14. The method as recited in claim 13, wherein the customer profile identifies at least one customer, and wherein generating enriched product data from the system product data file according to the customer profile includes:

obtaining a system record associated with a customer from the system product data file; and

generating a product header for the system record, the product header including a customer SKU associated with the system record.

15. The method as recited in claim 14, wherein the product header further includes a system SKU that identifies a product associated with the system record and a category identifier that identifies a category in which the product is classified.

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16. The method as recited in claim 14, wherein the product header further includes at least one of a manufacturer product description that describes standard features of the product, a product line associated with the product, and a model number associated with the product.

17. The method as recited in claim 14, wherein the customer profile further includes customer searchable attribute preferences corresponding to each customer, the customer searchable attribute preferences specifying attributes for which values are to be transmitted, the method further including:

obtaining attribute values for the specified attributes from the system record.

18. The method as recited in claim 17, further including:

producing the customer searchable attribute preferences.

19. The method as recited in claim 14, further including:

producing a list of related products associated with the system record.

20. The method as recited in claim 19, wherein the list of related products includes the customer SKU associated with the system record and a customer SKU for each of the related products.

21. A method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file that identifies products for which product data is requested by one or more customers, the product data being suitable for use in an electronic catalog, the customer product portfolio file including a manufacturer SKU associated with each of the products for which product data is requested for use in an electronic catalog, a customer SKU associated with each of the products that corresponds to one of the customers, and a manufacturer identifier identifying a manufacturer of each of the products for which product data is requested, each of the customers being a manufacturer, retailer, or distributor products

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for which product data is requested by the customer in the customer product portfolio file; and

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is not in the system product data file is identified, thereby identifying products for which product data is requested but has not been previously obtained and stored in the system product data file.

22. The method as recited in claim 21, wherein mapping the customer product portfolio file includes:

ascertaining whether the manufacturer identified in the customer product portfolio file is new, the manufacturer being a new manufacturer if the manufacturer is not identified in the system product data file; and

if the manufacturer is new, assigning a manufacturer identifier to the new manufacturer such that the manufacturer identifier is stored in the system product data file.

23. The method as recited in claim 21, wherein mapping the customer product portfolio file includes:

determining whether the customer SKU in the customer product portfolio file is new, the customer SKU being new if the customer SKU is not identified in the system product data file; and

if the customer SKU is new, creating a new system SKU such that the new system SKU is mapped in the system product data file to the customer SKU.

24. The method as recited in claim 23, further including:

classifying the new system SKU according to a data model, the data model including one or more classes, each of the one or more classes including one or more categories.

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25. The method as recited in claim 23, further including:
determining whether the customer SKU is invalid; and
reporting the customer SKU if it is determined to be invalid.

26. A method of querying a catalog database, the catalog database including product data for one or more products, each of the products being classified in at least one of a plurality of product categories, the product data for each product including a set of product attributes corresponding to the product category within which the product is classified, each of the product attributes having at least one attribute value, the method comprising:

accepting a selection of at least one of the set of product attributes corresponding to one of the plurality of product categories;

accepting a selection of products within the one of the plurality of product categories;

obtaining one or more attribute values corresponding to the selected product attributes for each of the selected products from the catalog database; and

displaying the obtained attribute values for the selected products.

27. The method as recited in claim 26, where displaying the obtained attribute values for the selected products includes assigning normalized numeric values to the obtained attribute values.

28. A method of querying a catalog database including product data for one or more products classified according to a data model, the method comprising:

accepting a user query specifying a product and a catalog component to be retrieved for use in an electronic catalog, the catalog component including at least one of a product description, technical specifications, a marketing description, an image, and a URL associated with the product;

obtaining a catalog component definition associated with the catalog component, the catalog component definition defining a format for the catalog component;

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extracting information specified by the catalog component definition from the catalog database and the data model; and

building a catalog component descriptor from the extracted information and the catalog component definition.

29. The method as recited in claim 21, wherein the customer product portfolio file further includes:

a product description describing each of the products for which product data is requested.

30. The method as recited in claim 13, wherein mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified comprises identifying one or more of the products for which product data is requested and has not been previously obtained and stored in the system product data file.

31. A computer-readable medium storing thereon computer-readable instructions for distributing product data for use in an electronic catalog, comprising:

instructions for capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

instructions for storing the product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

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32. A system for distributing data for use in an electronic catalog, comprising:

means for capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

means for storing the captured product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU identifying each of the products for a customer requesting distribution of specified product data for use in an electronic catalog the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

33. A system for distributing data for use in an electronic catalog, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and

storing the product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the

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stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products.

34. A computer-readable medium storing thereon computer-readable instructions for maintaining catalog data stored in a system product data file, comprising:

instructions for receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

instructions for electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which product data is requested by the customer has been previously obtained and stored in the system product data file;

instructions for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

instructions for adding the captured product data to the system product data file.

35. A system for maintaining catalog data stored in a system product data file, comprising:

means for receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which data is requested by the customer in the customer product portfolio file;

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means for electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which data is requested by the customer has been previously obtained and stored in the system product data file;

means for capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

means for adding the captured product data to the system product data file.

36. A system for maintaining catalog data stored in a system product data file, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

receiving a customer product portfolio file, the customer product portfolio file including a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product identified in the customer product portfolio file for which product data is not in the system product data file is identified, thereby indicating whether product data for each of the products for which product data is requested by the customer has been previously obtained and stored in the system product data file;

capturing product data for at least one product identified in the customer product portfolio file that is not stored in the system product data file; and

adding the captured product data to the system product data file.

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37. A computer-readable medium storing thereon computer-readable instructions for maintaining catalog data stored in a system product data file, comprising:

instructions for receiving a customer product portfolio file that identifies products for which data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

instructions for electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

instructions for generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products for which values are to be transmitted to the customer; and

instructions for transmitting the enriched product data with the added product data to the customer.

38. A system for maintaining catalog data stored in a system product data file, comprising:

means for receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with products for which data is requested by a customer for use in a catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

means for mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

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means for generating enriched product data that includes added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

means for transmitting the enriched product data with the added product data to the customer.

39. A system for maintaining catalog data stored in a system product data file, comprising:

a processor; and

a memory, at least one of the processor and the memory being adapted for:

receiving a customer product portfolio file that identifies products for which product data is requested, wherein the customer product portfolio file includes a plurality of SKUs associated with a plurality of products for which product data is requested by a customer for use in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products for which product data is requested by the customer in the customer product portfolio file;

electronically mapping the customer product portfolio file to the system product data file such that each product for which product data is in the system product data file is identified;

generating enriched product data with added product data from the system product data file in accordance with a customer profile, the customer profile indicating product data associated with the products which are to be transmitted to the customer; and

transmitting the enriched product data with the added product data to the customer.